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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. M12C1FDF3D2

First Inventor Edwards et al.

Title Process for Altering the Host Range of *Bacillus thuringiensis*
Toxins, and Novel Toxins Produced Thereby

Express Mail Label No. EF 370336455 US

10/03/00
12/21/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 94]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 16]

5. Oath or Declaration [Total Pages 3]

a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. Request to Use Computer

17. Other: **Request to Use Computer Readable Format from Prior appl.**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No. 09 / 405,788

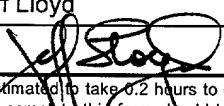
Prior application information: Examiner Amy Nelson

Group Art Unit 1638

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	23,557	or <input type="checkbox"/> Correspondence address below
(Insert Customer No. or Attach Bar Code Label here)		
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	Jeff Lloyd	Registration No. (Attorney/Agent)	35,589
Signature			
	Date	27 DEC. 2001	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL FORM

Assistant Commissioner for Patents
 Box Patent Application
 Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s): David L. Edwards, Corinna Herrnstadt, Edward R. Wilcox, Siu-Yin Wong

Entitled: Process for Altering the Host Range of *Bacillus thuringiensis* Toxins, and Novel Toxins Produced Thereby

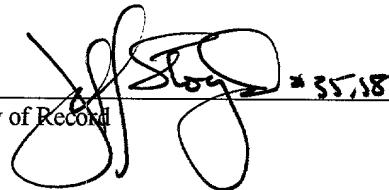
- A Utility Patent Application Transmittal Form accompanies this Fee Transmittal Form.
- The filing fee is calculated below:

CLAIMS AS FILED				
	Number filed	Number Extra	Rate	Fee
Basic Fee				\$ 740.00
Total Claims	1	- 20 = 0	x \$18	0.00
Independent Claims	1	- 3 = 0	x \$80	0.00
Presentation of Multiple Dependent Claim(s) (\$280)				-0-
			Total Filing Fee	\$ 740.00

- Please charge \$ 740.00 to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional filing fees which may be required, or credit any overpayment, to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.
- This application is being mailed by Express Mail under 37 CFR 1.10 and the required certificate appears below.

27 DECEMBER 2001

Attorney of Record



* 55,189

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail No.: EF 370336455 US Date of Deposit: December 27, 2001
 I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Virginia L. Minns
 Name of person mailing paper

Signature



December 27, 2001

Patent Application
Docket No. M12C1FDF3D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : David L. Edwards, Corinna Herrnstadt, Edward R. Wilcox,
Siu-Yin Wong

Docket No. : M12C1FDF3D2

For : Process for Altering the Host Range of *Bacillus thuringiensis* Toxins, and Novel Toxins
Produced Thereby

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST TO USE COMPUTER READABLE FORMAT
FROM PRIOR APPLICATION
AND STATEMENT UNDER 37 CFR §1.821

Sir:

It is respectfully requested that the computer readable format of application Serial No. 09/405,788, entitled "Process for Altering the Host Range of *Bacillus thuringiensis* Toxins, and Novel Toxins Produced Thereby," filed September 27, 1999 by applicants David L. Edwards, Corinna Herrnstadt, Edward R. Wilcox, and Siu-Yin Wong, also be used as the computer readable format for the subject application. I hereby certify that the sequence listing in the subject application and the sequence listing in application Serial No. 09/405,788 contain identical sequence information.

Respectfully submitted,

Jeff Lloyd
Patent Attorney
Registration No. 35,589
Phone No.: 407-426-7500
Address : 1000 Legion Place,
Orlando, FL 32801

JL/gm